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### EXPRESS MAIL CERTIFICATE

Express Mail" mailing label number : EL 984 914 778 US

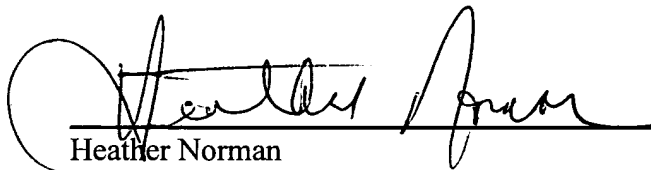
Date of Deposit : January 8, 2004

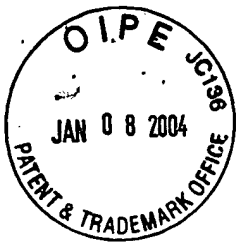
Type of Documents : Information Disclosure Statement;  
Form 1449;  
Cited References (six); and  
Return Postcard

Serial No. : 10/656,781

Filing Date : September 5, 2003

I hereby certify that the documents identified above are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. 1.10 on the date indicated above and are addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

 (signature)  
Heather Norman



PATENTS  
EL 984 914 778 US

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:	Betz, <i>et al.</i>	:	Examiner:	To be assigned
		:		
Serial No.:	10/656,781	:	Art Unit:	1614
		:		
Filed:	September 5, 2003	:	Docket No.:	B185 1230.1 (MSC 8016)
		:		
For:	Methods and Compositions for Treating Herpes Infections			

**INFORMATION DISCLOSURE STATEMENT**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Applicants hereby voluntarily disclose the references listed on the attached Form PTO-1449 to the Commissioner for Patents. This Information Disclosure Statement is being submitted prior to the mailing of a first Office Action on the merits of the application. Accordingly, no fees are due.

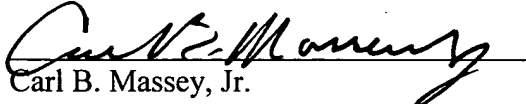
This statement should not be construed as the representation that any search has been made, or that the information cited herewith is material, or that there does not exist information more material to the examination of the present Application. The Examiner is specifically requested not to rely solely on the information submitted herein. On the contrary, the Examiner is requested to conduct an independent and thorough review of all available information, and to form independent opinions as to its significance.

Applicants further reserve the right to establish the patentability of the claimed invention over any of the listed information should they be applied as references, and/or to prove that the cited information may not be prior art, and/or to prove that the cited information may not be enabling for the teachings they purport to offer.

The Examiner is respectfully requested to initial and return copies of the enclosed Form PTO-1449 and to indicate in the official file wrapper of the above-identified patent application that each item of the cited information has been considered.

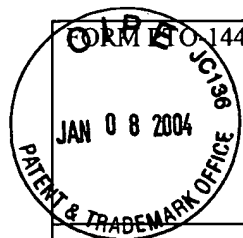
Respectfully submitted,

Date: Jan 8, 2004

  
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Docket: B185 1230.1 (MSC 8016)

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U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICE

ATTY DKT NO.  
B185 1230.1

SERIAL NO.  
10/656,781

APPLICANT  
Ulrich Betz, *et al.*

FILING DATE  
09/05/03

GROUP  
1614

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL		DOCUMENT NO.	DATE	NAME	CL.	SUBCL.	FILING DATE IF APPROP.
	P1	U.S. Pat. No. 6,307,028 B1	10/23/01	Lebing, <i>et al.</i>	530	390.1	

**FOREIGN PATENT DOCUMENTS**

		DOCUMENT NO.	DATE	COUNTRY	CL.	SUBCL	TRANSLATION	
							YES	NO

**OTHER DOCUMENTS (Incl. Author, Title, Date, Pertinent pages, etc.)**

	D1	Elrich, K.S., <i>et al.</i> , "Prevention and Treatment of Experimental Herpes Simplex Virus Encephalitis with Human Immune Serum Globulin," <i>Antimicrobial Agents and Chemotherapy</i> , 31(7): 1006-1009 (1987).
	D2	Epstein, S.P., <i>et al.</i> , "Efficacy of Polyclonal Antibodies for Treatment of Ocular Herpes Simplex Infection," <i>Cornea</i> , 20(5): 495-500 (2001).
	D3	LeBlanc, R.A., <i>et al.</i> , "Treatment of HSV-1 Infection with Immunoglobulin or Acyclovir: Comparison of Their Effects on Viral Spread, Latency, and Reactivation," <i>Virology</i> , 262(1): 230-236 (1999).
	D4	Raizman, M.B. and C.S. Foster, "Passive transfer of anti-HSV-1 IgG protects against stromal keratitis in mice," <i>Current Eye Research</i> , 7(8): 823-829 (1988).
	D5	Ritchie, M.H., <i>et al.</i> , "Passive Transfer of Anti-Herpes Simplex Virus Type 2 Monoclonal and Polyclonal Antibodies Protect Against Herpes Simplex Virus Type 1-Induced but Not Herpes Simplex Virus Type 2-Induced Stromal Keratitis," <i>Investigative Ophthalmology &amp; Visual Science</i> , 34(8): 2460-2468 (1993).

EXAMINER

DATE CONSIDERED

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.